

STATEMENT OF PURPOSE

RS19657

This proposal amends Chapter 3, Title 66, Idaho Code, by creation of a new section to establish a qualifying mental health relief from firearms disabilities program pursuant to Section 105 of the National Instant Check System (NICS) Improvement Amendments Act of 2007 (Public Law 110-180).

While Idaho Code Section 67-3003 sets forth the duties of the Bureau of Criminal Identification (BCI) relative to criminal history records and crime information, it is silent on the transmittal of records from the Idaho Supreme Court database to the NICS for the purpose of determining eligibility to purchase weapons under federal law. This proposal gives clear authority to ISP/BCI to transmit records from the Idaho Supreme Court database to the NICS for the purpose of determining eligibility to purchase weapons under federal law. No database is created by this proposal and no records are retained by BCI; the bureau passes the information through the Supreme Court directly to the NICS.

FISCAL NOTE

While there is no significant adverse impact associated with this proposal, the changes may enable the state to apply for a share of federal grant funding available to states for improvement of the criminal history repository and the courts system. In 2010, \$20M of grant funding is available. Idaho does not currently qualify because a qualifying relief from disabilities program is not in place.

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